

REMARKS

The Applicant respectfully submits this Amendment And Request For Reconsideration in response to the Office Action of 03 December 2009 for the above-referenced patent application.

In the present Amendment, the Applicant amends claims 1, 4, 12, 15, and 32-33; no claims have been added or canceled. The Applicant respectfully requests entry of the amendment and reconsideration of the claims 1-7, 9-22 and 32-34 as revised based on the reasons presented herein.

*In the Office Action of 03 December 2009, the Examiner rejected claims 1-22 and 32-34 under 35 U.S.C. § 103(a) as being obvious over Jin (U.S. Patent Application Publication No. US2002/0084888A1) in view of Minborg (U.S. Patent No. 6,977,909). In response, the Applicant respectfully disagrees with the Examiner's rejections, especially in light of the present claim amendments, and submits that all pending claims 1-7, 9-22, and 32-34 as revised are allowable over the prior art for at least the following reasons.*

In order for claims to be properly rejected under 35 U.S.C. § 103(a), the prior art in combination must teach or suggest each and every limitation of the claims.

When determining whether a claim is obvious, an examiner must make "a searching comparison of the claimed invention - *including all its limitations* - with the teaching of the prior art." *In re Ochiai*, 71 F.3d 1565, 1572 (Fed. Cir. 1995) (*emphasis added*). Thus, "obviousness requires a suggestion of all limitations in a claim." *CFMT, Inc. v. Yieldup Intern. Corp.*, 349 F.3d 1333, 1342 (Fed. Cir. 2003) (citing *In re Royka*, 490 F.2d 981, 985 (CCPA 1974)).

*Ex Parte Wada and Murphy*, Appeal No. 2007-3733, Bd. Pat. App. & Inter., January 14, 2008. Because at least one limitation in each claim is not taught or suggested by the Examiner's asserted combination of art, the rejection the claims cannot be maintained.

In the present case, the relied upon art fails to teach or suggest the acts of "reading," "storing," and "repeating" which are performed "*automatically*" by a mobile station (or more specifically, its processor) "in response to detecting a trigger signal" as claimed in claims 1-7, 9-22, and 32-34. Proper interpretation requires that the acts of "reading" and "storing" of a first user-specific information item read from a first file, as well as the acts of "reading" and "storing" again (i.e. the *repeating* act) of a second user-specific information item read from a second file, are performed "*automatically*" in response to detecting the *single* trigger signal in the automatic grouping.

Also as reasoned previously, the Examiner must interpret the claims only as broadly as is reasonable, in accordance with the plain language meaning of terms. The Applicant submits that the plain language meaning of the term "automatic" to those of ordinary skilled in the art is "*acting or operating in a manner essentially independent of external influence or control*" as discussed in the previously submitted paper. When read in context with the present claims and application, the plain language meaning of the terminology "automatically grouping" which is performed by a "mobile station" or its "processor" means that the actions are performed in a manner independent of the user of the mobile station. Put another way, it means that the actions are performed without user or manual intervention. This interpretation is consistent with the "automatic grouping" operation described in the specification.

The Applicant has more narrowly tailored the claim language to specify that a "first user-specific information item ... which is utilized for identifying or contacting the user in [a] first application" is read "from a first file" for the

first application, and a “second user-specific information item ... which is utilized for identifying or contacting the user in [a] second application” is read “from a second file” for the second application. The storing action is recited to be performed by the mobile station (or its processor) for the user-specific information item that is “read from the ... file.” The above-identified revisions support the interpretation that the grouping is performed by the mobile station or its processor “automatically”, in connection with its internally stored files, in response to detecting the trigger signal, without user intervention.

Given a proper interpretation of the claims, the relied upon art fails to teach or suggest such operation. In the Jin reference, the user is prompted for *manual* (not automatic) user entry or selection of the user data. As apparent from FIGs. 4A-4E of Jin and its description, for example, the prior art teachings require the user to *manually* (not automatically) enter the multiple user data through an application. This is not what is claimed (i.e. this is not “automatically grouping,” and not automatic grouping of items *read from first and second files of first and second applications*, respectively), and generally illustrates the differences between the relied upon art and that which is claimed. Note that Minborg does not make up for the deficiencies of Jin.

As the relied upon art of the Examiner fails to teach or suggest an “automatic grouping” of user-specific information items read from first and second in response to detecting a trigger signal, the rejections should be withdrawn and the claims allowed.

Note further that there would have been no adequate suggestion or motivation to modify the Jin reference to produce that which is claimed. Again, in the Jin reference, it is an important objective that the user be prompted for *manual* (not automatic) user entry or selection of user data. As apparent from FIGs. 4A-4E of Jin and its description, for example, the prior art teachings require the user to *manually* (not automatically) enter the user

data through an application. This is not what is claimed (i.e. this is not "automatically grouping") and generally illustrates the differences between the relied upon art and that which is claimed. In fact, Jin may be viewed as teaching the exact opposite of that which is claimed.

Other reasons for allowability of both the independent and dependent claims are apparent to those skilled in the art, but are not detailed herein due to the already-indicated reasons for allowability.

Based on the reasons presented herein, the Applicants respectfully request the Examiner to withdraw the rejections of pending claims 1-7, 9-22 and 32-34 as revised. The Applicant submits that the application as amended is in a condition suitable for allowance.

Respectfully submitted,

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